

1
2 GARY DALE BARGER,
3 aka GARY FISHER,
4

5 Petitioner,
6

7 v.
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9 ARRESTING BAKERSFIELD P.D., et al.,
10

11 Respondents.
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13 Case No. [15-cv-00766-WHO](#) (PR)
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15 **ORDER OF DISMISSAL**
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17 Petitioner Gary Dale Barger has failed to comply with the Court's order to (1) file a
18 complete application to proceed *in forma pauperis* ("IFP"), or (2) pay the full filing fee of
19 \$5.00. His IFP application lacks two necessary documents: a Certificate of Funds
20 completed and signed by an authorized prison officer, and a prison trust account statement
21 showing transactions for the last six months. Accordingly, this federal habeas action is
22 DISMISSED without prejudice for failing to respond to the Court's order, and for failure
to prosecute, *see* Fed. R. Civ. P. 41(b). Because this dismissal is without prejudice, Barger
may move to reopen the action. Any such motion **must** contain a complete IFP
application, which includes the two documents mentioned above, **or** full payment for the
\$5.00 filing fee. Barger's IFP application (Docket No. 2) is DENIED as insufficient. The
Clerk shall terminate Docket No. 2, enter judgment in favor of respondents, and close the
file.

23 **IT IS SO ORDERED.**

24 **Dated:** April 8, 2015

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27 WILLIAM H. ORRICK
28 United States District Judge